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SERVICE DATE – APRIL 26, 2018

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 33 (Sub-No. 332X)

UNION PACIFIC RAILROAD COMPANY—ABANDONMENT EXEMPTION—IN HARRIS
COUNTY, TEX.

Decided: April 25, 2018

Union Pacific Railroad Company (UP) filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon 0.9 miles of the Seabrook Industrial Lead between milepost 6.9 (former Southern Pacific Transportation Co. (SP) milepost 29.1), near Red Bluff Road, and milepost 7.8 (former SP milepost 30.0), near Repsdorph Road, in Seabrook, Harris County, Tex. (the Line). Notice of the exemption was served and published in the Federal Register on March 29, 2018 (83 Fed. Reg. 13,581). The exemption is scheduled to become effective on April 27, 2018.

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on April 3, 2018. In the EA, OEA stated that the Line is located within the boundaries of the Texas coastal management program. Accordingly, OEA recommended a condition requiring that, before beginning any salvage activities, UP shall consult with the Coastal Resources Department of the Texas General Land Office to determine whether state coastal management consistency certification is required and report the results of these consultations in writing to OEA.

OEA further stated that the National Geodetic Survey (NGS) has advised OEA that two geodetic station markers have been identified that may be affected by the proposed abandonment. Accordingly, OEA recommended a condition requiring that UP notify NGS at least 90 days prior to beginning salvage activities that would disturb or destroy any geodetic station markers.

OEA issued its Final EA on April 20, 2018, noting that no comments were received by the April 18, 2018 due date and recommending again that the Board impose the two conditions recommended in the EA. Accordingly, this proceeding will be reopened and the conditions recommended by OEA in the EA and Final EA will be imposed.

This action, as conditioned, will not significantly impact either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on March 29, 2018, exempting the abandonment of the Line described above is subject to the following conditions:
 - (a) Before beginning any salvage activities, UP shall (i) consult with the Coastal Resources Department of the Texas General Land Office to determine whether state coastal management consistency certification is required and (ii) report the results of these consultations in writing to OEA.
 - (b) UP shall notify NGS at least 90 days before beginning salvage activities that would disturb or destroy any geodetic station markers.
3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.